



Matthew Rodriguez  
Secretary for  
Environmental Protection

# California Regional Water Quality Control Board Los Angeles Region

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<http://www.waterboards.ca.gov/losangeles>



Edmund G. Brown Jr.  
Governor

SDMS DOCID# 1129247

November 14, 2011

Mr. Dick Johnson  
Construction Department  
Home Depot USA, Inc.  
3800 West Chapman Avenue  
Orange, California 92868

**SUBJECT: CONDITIONAL APPROVAL OF WORK PLAN FOR DATA COLLECTION AND ANALYSES PURSUANT TO CALIFORNIA WATER CODE SECTION 13267**

**SITE/CASE: HOME DEPOT DEVELOPMENT, 1200 SOUTH FLOWER STREET, BURBANK/GLENDALE, CALIFORNIA (SITE ID. NO. 2040154, WIP FILE NO. 109.0582)**

Dear Mr. Johnson:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of groundwater and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura Counties, including the referenced site.

On June 20, 2011, the Regional Board received a work plan (technical report) entitled "*Work Plan for Data Collection and Analyses*," dated June 20, 2011. The work plan was prepared by Geosyntec Consultants, your environmental consultant, in response to the discussions during a meeting conducted on June 30, 2010 between members of the Regional Board, Home Depot, and ITT Industries, Inc.

Based on our review of the work plan, you may begin to implement the work plan provided that all work is completed as specified in the work plan and addresses the following requirements:

1. Provide a list of acronyms.
2. Page 1-1, Section 1.2: The section shall list the chemicals of concern (COCs) by matrix;
3. Page 1-1, Section 1.2, third bullet: The sentence needs to state whether procedures include the "risk or threat to groundwater (i.e., perched and regional);"

***California Environmental Protection Agency***

4. Page 2-1, Section 2.1, Last sentence needs to include text stating the "The Regional Board issued a Cleanup and Abatement Order (CAO) to ITT;"
5. Page 4-1, Section 4.1, seventh bullet: The mobile laboratory must achieve detection limits below the soil vapor CHHSLs action levels for the commercial/industrial scenario;
6. Page 4-2, Section 4.2.1: last sentence in the first paragraph makes reference to using a photoionization detector (PID) for soil screening for the presence of volatile organic compounds (VOCs). A PID is typically used to detect benzene, toluene, et al., but not for chlorinated or halogenated VOCs such as trichloroethylene (TCE), perchloroethylene (PCE), et al. Therefore, an electron capture detector or ECD needs to be considered to screen for these types of VOCs.
7. Page 4-5, Section 4.7: The section needs to consider project data quality objects including data precision, data accuracy, comparability, representativeness, etc. Section should reference the Quality Assurance Project Plan (QAPP), which was developed by the Regional Board and United States Environmental Protection Agency (USEPA) for the San Fernando Valley. A link to the QAPP may be found at the following URL Website:

[http://www.waterboards.ca.gov/losangeles/water\\_issues/programs/remediation/Board\\_SGV-SFVCleanupProgram\\_Sept2008\\_QAPP.pdf](http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/Board_SGV-SFVCleanupProgram_Sept2008_QAPP.pdf);

In addition to the specific comments listed above, the work plan must present a section on Quality Assurance/Quality Control (QA/QC) and data interpretation when the field results are compared with associated QA/QC results.

Laboratory reports and method detection limits (MDLs) for soil samples shall also meet the requirements specified in the Regional Board's laboratory report form revised in June 2000. The details of the requirements are available on the Regional Board's website at the following link:

[http://www.waterboards.ca.gov/losangeles/publications\\_forms/forms/lab\\_report.shtml](http://www.waterboards.ca.gov/losangeles/publications_forms/forms/lab_report.shtml)

An amended work plan shall be submitted to the Regional Board by **December 15, 2011**. The final report shall be submitted to the Regional Board within 12 weeks of the receipt of final laboratory data.

The final report shall present two geologic cross-section of the site: North to South and East to West. Each cross-section should present soil lithology, depth to groundwater, soil and soil vapor results, contaminant plumes, and transect the appropriate soil borings, soil vapor locations, groundwater monitoring wells, etc;

The final report shall be developed following the Regional Board's Guidelines for Report Submittals (March 1991, Revised June 1993) and shall be submitted in electronic Adobe(r) "pdf" format. Laboratory QA/QC data must be included with the final report; and

You are required to provide the Regional Board at least a one-week notice prior to the commencement of the field work, so that Regional Board staff can provide oversight management.

As presented in State Water Resources Control Board Resolution 92-49, professionals should be qualified, licensed where applicable, and competent and proficient in the fields pertinent to the required activities. Moreover, the final report submitted to this Regional Board must be reviewed, signed and stamped by a California professional geologist, or a California registered civil engineer with at least five years hydrogeologic experience. Furthermore, the California Business and Professions Code Sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of registered professionals. Therefore, all future work must be performed by or under the direction of a registered geologist or registered civil engineer. A statement is required in the final report that the registered professional in responsible charge actually supervised or personally conducted all the work associated with the work plan and final report.

As previously stated and pursuant to Section 13267(b) of the California Water Code (CWC), you are hereby directed to submit the amended work plan to this Regional Board by **December 15, 2011**. Furthermore, pursuant to Section 13268 (b)(1) of the CWC, failure to submit the required technical report may result in the imposition of civil liability penalties by the Regional Board of up to \$1,000 per day.

The Regional Board understands that a final letter report summarizing the results from the amended work plan will be submitted to this, Regional Board within 8 weeks of the receipt of final laboratory data. When submitting the final letter report, you shall include a perjury statement which shall be signed by a representative of Home Depot (not a consultant). The statement shall be in the following format:

*"I [name], do hereby declare under penalty of perjury under the laws of the State of California, that I am [title] for Home Depot, that I am authorized to attest to the veracity of the information contained in the reports described herein, and that the information contained in [title and date of report], is true and correct, and that this declaration was executed in [city and State], on [date]."*

The State Water Resources Control Board (State Water Board) adopted regulations requiring the electronic submittals of information over the Internet using the State Water Board GeoTracker database. You are required to comply by uploading all reports and correspondence prepared to date and additional required data formats to the GeoTracker system. Information about GeoTracker submittals, including links to text of the governing regulations, can be found on the Internet at the following link:

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal)

If you have any questions, please contact Mr. Larry Moore (project manager) at (213) 576-6730 ([lmoore@waterboards.ca.gov](mailto:lmoore@waterboards.ca.gov).)

Mr. Dick Johnson  
Home Depot USA, Inc.

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November 14, 2011

Sincerely,



Samuel Unger, P.E.  
Executive Officer

cc: Ms. Jennifer Fordyce, Office of Chief Counsel, State Water Resources Control Board  
Ms. Kelly Manheimer, Superfund Division, USEPA Region IX, San Francisco  
Ms. ZiZi Searles, Superfund Division, USEPA Region IX, San Francisco  
Mr. Fred Schaufler, Superfund Division, USEPA Region IX, San Francisco  
Ms. Lisa Hanusiak, Superfund Division, USEPA Region IX, San Francisco  
Mr. Robert McKinney, Los Angeles Department of Water & Power  
Mr. Leighton Fong, City of Glendale  
Mr. Bill Mace, City of Burbank Water Supply Department  
Mr. Richard Slade, Upper Los Angeles River Area (ULARA) Watermaster  
Ms. Teresa Olmsted, ITT Industries, Inc.  
Ms. Mital Desai, Geosyntec Consultants  
Ms. Karen Kosiarek, Geosyntec Consultants  
Mr. Bruce Howard, Esq.  
Mr. Richard Coffin, Esq.